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Rule 44.1. Determination Of Foreign Law.

(a) Notice. A party who intends to raise an issue concerning the law of any jurisdiction or governmental unit thereof outside this State shall give notice in his pleading or other reasonable written notice.

(b) Materials to Be Considered. In determining the law of any jurisdiction or governmental unit thereof outside this State, the court may consider any relevant material or source, including testimony, whether or not submitted by a party or admissible under the rules of evidence.

(c) Court Decision and Review. The court, not the jury, shall determine the law of any jurisdiction or governmental unit thereof outside this State. Its determination is subject to review on appeal as a question of law.

Reporter's Notes to Rule 44.1: - 1. Rule 44.1 is identical to superseded Ark. Stat. Ann. 27-2504 (Supp. 1975) and therefore works no changes in Arkansas practice. This rule is substantially the same as FRCP 44.1, but the wording is changed to adapt the rule to state practice. Whereas the Federal Rule is concerned only with the determination of the law of a foreign country, this rule applies to the law of any governmental unit outside the State of Arkansas.

Associated Court Rules:

Rules of Civil Procedure

Group Title:

VI. Trials

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